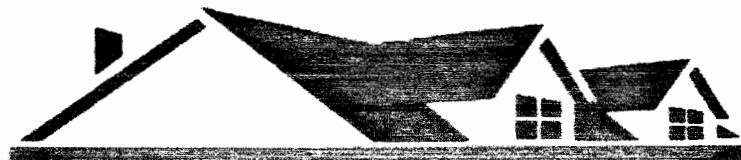


# EXHIBIT **F**-CONSUMER AUDIT



**CMAC**

**Consumer Mortgage Audit Center**

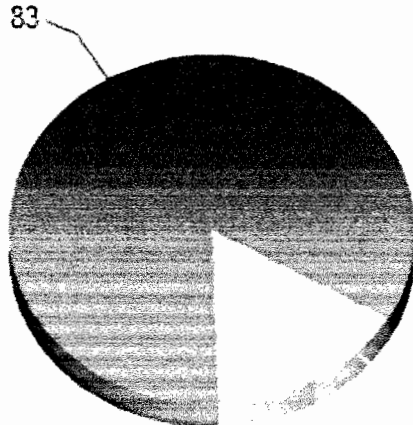
**NACA**

**NEIGHBORHOOD ASSISTANCE CORPORATION OF AMERICA**

***Confidential***



Gustavo Romanello	04/26/2011
Bank	07/22/2005
UTD	000459401-6



#### Summary of Exceptions

- Minor Exceptions
- Important Exceptions
- Serious Exceptions

APPROPRIATELY CATEGORIZED	
SERIOUS EXCEPTIONS .....	10
TOTAL EXCEPTIONS .....	12
TILA Violations & Exceptions .....	1
RESPA Violations & Exceptions .....	3
ECOA Violations & Exceptions .....	2
FCRA Violations & Exceptions .....	1
GLBA Violations & Exceptions .....	0
UDAP Violations & Exceptions .....	5



## Forensic Mortgage Violation Assessment Screening

### TILA Analysis

<b>Borrower:</b>	Gustavo Romanello	<b>Date Audited:</b>	04/26/2011
<b>Current Servicer:</b>	Bank	<b>Date Closed:</b>	07/22/2005
<b>Note Holder:</b>	UTD	<b>Loan#:</b>	000459401-6

Disclosed Final TILDS			
APR	FINANCE CHARGE	Amount Financed	Total of Payments
5.8832 %	\$269,813.65	\$143,900.75	\$413,714.40

TILA Analysis Actual TILDS			
APR	FINANCE CHARGE	Amount Financed	Total of Payments
5.7465 %	\$259,331.81	\$143,884.75	\$403,216.56

Number of Payments (Monthly): ..... 480  
 Amount of most common payment: ..... \$899.72  
 Amount of any irregular first payment: ..... \$0.00  
 Amount of any irregular final payment: ..... \$0.00

### **Based on Independent Assessment & Calculation:**

Annual Percentage Rate (APR) Discrepancy: 0.1367 %

Finance Charge Discrepancy: \$10,481.84

\*Violation APR Tolerance for Error on Fixed Rate Loans is .125%;

\*\*Violation APR Tolerance for Error On ARM is .25%;

\*\*\*Violation Finance Charge Tolerance for Error is \$100; Or if Refinance then 1/2 of 1% of total loan

\*\*\*\*Violation Finance Charge Tolerance for Error IF in Foreclosure is \$35;



**CITATION:** TILA: Reg. Z, 12 C.F.R. § 226.19 (b)(1)

**CASE LAW:** United States District Court, N.D. California, San Jose Division. Eneida AMPARAN, individually and on behalf of others similarly situated, Plaintiff, v. PLAZA HOME MORTGAGE, INC.; Washington Mutual Mortgage Securities Corp., Defendants. No. C 07-4498 JF (RS). Dec. 17, 2008

**GF01: GFE Not Provided Within 3 Days of Application.**

**GENERATED BY:** Lender/TPO **SEVERITY:** Serious

**CITATION:** RESPA: Reg. X, 24 C.F.R. § 3500.7 (a)

**CASE LAW:** 259 F. Supp. 2d 1143, \*; 2003 U.S. Dist. LEXIS 11924, \*\* CATHERINE ANDERSON, Plaintiff, v WELLS FARGO HOME MORTGAGE, INC, Defendant Case No C02-5480(RJB)RBL UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF WASHINGTON, TACOMA DIVISION 259 F. Supp. 2d 1143; 2003 U.S. Dist. LEXIS 11924 April 30, 2003, Decided. May 1, 2003, Filed, Entered on Docket.

**GF02: Booklet on Closing Costs Not Provided Within 3 Days of Application.**

**GENERATED BY:** Lender/TPO **SEVERITY:** Serious

**CITATION:** RESPA: Reg X 24 C.F.R. § 3500.6 (a)(1)

**CASE LAW:** 2008 U.S. Dist. LEXIS 8621, \* CEASAR HANCOCK, Plaintiff, VS. CHICAGO TITLE INSURANCE COMPANY, Defendant. Civil Action No. 3:07-CV-1441-D UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS, DALLAS DIVISION, February 5, 2008, Decided

**HD01: Failure to Provide HUD-1 Settlement Statement.**

**GENERATED BY:** Lender/ TPO **SEVERITY:** Serious

**CITATION:** RESPA:12 USC § 2603(a) & (b); RESPA: Reg. X, 24 CFR § 3500.8(a) & (b), 3500.10(b)

**CASE LAW:** United States District Court, N.D. Illinois, Eastern Division. Rochelle WASHINGTON and Sidney Washington, Plaintiffs, v. AMERIQUEST MORTGAGE COMPANY, Deutsche Bank National Trust Company, and AMC Mortgage Services, Inc., Defendants. No. 05 C 1007. July 11, 2006.

There was no first page on the Final, File HUD 1 in loan documents

**UD05: Broker Deceptive Practices**

**GENERATED BY:** Lender/TPO **SEVERITY:** Serious

**CITATION:** Possible UDAP violation exists when the broker, loan finder or credit consultant misrepresents the likelihood of securing a loan; the availability of long term loans; speed at which a loan can be made; failure to disclose additional charges for obtaining the loan; represent themselves to be a lender; represent themselves as a broker when only the agent of one creditor; the omission of brokers compensation.

**CASE LAW:** 422 F.Supp.2d 1230 United States District Court, W.D. Washington, At Tacoma, Cameron PIERCE and Patricia Pierce, husband and wife; plaintiffs, v.

NOVASTAR MORTGAGE, INC., a foreign corporation, Defendant. No. C05-5835 RJB. March 22, 2006.

Borrower disclosed, via executed questionnaire that the broker never explained to them the manner in which the NEG AM loan worked, payment and balance-wise.

**UD07: Improvident Extension of Credit**

**GENERATED BY:** Lender/TPO **SEVERITY:** Serious

**CITATION:** Possible UDAP violation as the improvident extension of credit is an unfair, deceptive or



## Forensic Mortgage Violation Assessment Screening

### Auditors Comments

The Consumer Mortgage Audit Center has performed a Forensic Audit for Counsel on behalf of Gustavo Romanello. The investigation was based solely on the documentation provided for auditing and the borrower's sworn affidavit. The following is a synopsis of the Consumer Mortgage Audit Center's Forensic Auditor's most relevant findings:

**AD10: Notice of Right to Receive Copy of Appraisal Missing.**

**GENERATED BY:** Lender/TPO **SEVERITY:** Serious

**CITATION:** ECOA: Reg B, 12 C.F.R. § 202.14 (a)(2)(i)

**CASE LAW:** United States District Court, S.D. Mississippi, Eastern Division. Johnny CRAWFORD, et al., Plaintiffs v. WMC MORTGAGE CORPORATION, et al., Defendants. Civil Action Nos. 4:05CV186LR, 4:06CV64LR. July 27, 2006.

**AD11: ECOA Notice to Home Applicant Missing**

**GENERATED BY:** Lender/TPO **SEVERITY:** Serious

**CITATION:** ECOA: Reg B, 12 C.F.R. § 202.9 (b)(1)

**CASE LAW:** Not Reported in F.Supp.2d, 2001 WL 293632 (N.D.Ill.), 44 UCC Rep.Serv.2d 370 United States District Court, N.D. Illinois, Eastern Division. Wanda FOX, Plaintiff, v. THE MONTELL CORPORATION, Defendant. No. 01 C 299. March 19, 2001.

**AD15: Missing Fact Act Notice to Borrower**

**GENERATED BY:** Lender/TPO **SEVERITY:** Minor

**CITATION:** FACTA/FCRA: Reg. V 12 C.F.R. Part 222 Sec 217; 69 FR 19123 (April 12, 2004)

**CASE LAW:** No case law

**AD32: Missing Mortgage Broker Agreement Disclosures.**

**GENERATED BY:** Lender/TPO **SEVERITY:** Serious

**CITATION:** May Violate State's Anti Predatory Lending Laws

**CASE LAW:** 276 B.R. 368, 39 Bankr.Ct.Dec. 127 United States Bankruptcy Court, D. Delaware In re UNITED COMPANIES FINANCIAL CORPORATION, et al., Debtors. NOS. 99-450(JCA) to 99-461(JCA). April 17, 2002.

**AD34: Missing State Required Disclosures.**

**GENERATED BY:** Lender/TPO **SEVERITY:** Serious

**CITATION:** May Violate State's Anti Predatory Lending Laws

**CASE LAW:** 109 F.Supp.2d 352 United States District Court, E.D. Pennsylvania. Kim WILLIAMS, Plaintiff, v. EMPIRE FUNDING CORP., et al., Defendants. No. CIV. A. 97-4518. Aug. 7, 2000. There were no "Freedom to Choose" nor "Notice of Information and Examples of Amortization of Home Loans" Disclosures in file documents

**AR01: Consumer Handbook on ARMS Not Provided by Lender at Time of Application**

**GENERATED BY:** Lender/TPO **SEVERITY:** Important